

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David Martini et al.
Serial No.: 10/534,792
Int'l. Serial No.: PCT/IT03/00753
Int'l. Filing Date: November 19, 2003
For: Emergency Power Generating Unit For Trains And Train
Comprising Said Unit
Group No. Unknown
Attorney's Docket No. N2321-MJP
Customer No. 23456

**SUBMISSION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE
UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Notification Of Missing Requirements Under 35
U.S.C. 371 In The United States Designated/Elected Office (DO/EO/US) mailed
September 22, 2005.

Enclosed are the following material(s) for filing in the U.S. Patent Application
identified above:

- Declaration signed by the inventors;
- \$130.00 surcharge for filing the declaration late; and
- A copy of the Notification Of Missing Requirements Under 35 U.S.C. 371 In

The United States Designated/Elected Office (DO/EO/US).

11/23/2005 MAILPAYASH 00000017 10534792

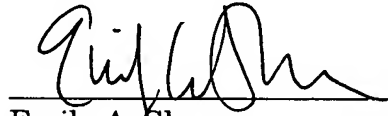
01 FC:1617

130.00 0P

If there are any questions regarding this Response, please contact the undersigned for clarification.

The Commissioner is authorized to charge any deficiency or credit any overpayment associated with the filing of this Response to Deposit Account 23-0035.

Respectfully submitted,



Emily A. Shouse
Registration No. 44,336
WADDEY & PATTERSON
A Professional Corporation
Customer No. 23456

ATTORNEY FOR APPLICANT

Emily A. Shouse
Waddey & Patterson
1600 Division Street, Suite 500
Roundabout Plaza
Nashville, TN 37203
(615) 242-2400
(615) 242-2221 facsimile

CERTIFICATE OF EXPRESS MAILING

"EXPRESS MAIL" mailing label number:

EV 791885643 5US

Date of deposit:

Nov. 18, 2005

I hereby certify that this Response in U.S. Application No. 10/534,792, I.A. filing date November 19, 2003 along with:

- Declaration signed by the inventors;
- \$130.00 surcharge for filing the declaration late; and
- A copy of the Notification Of Missing Requirements Under 35 U.S.C. 371 In The United States Designated/Elected Office (DO/EO/US)

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above, addressed to:

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

11-18-05
Date

Claire R. Ulanoff
Claire R. Ulanoff



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/534,792	David Martini	N2321-MJP

INTERNATIONAL APPLICATION NO.

PCT/IT03/00753

I.A. FILING DATE	PRIORITY DATE
11/19/2003	11/21/2002

23456
 WADDEY & PATTERSON
 1600 DIVISION STREET, SUITE 500
 NASHVILLE, TN 37203

RECEIVED

SEP 26 2005

WADDEY AND PATTERSON, P.C.

CONFIRMATION NO. 1655

371 FORMALITIES LETTER



OC000000017046217

Date Mailed: 09/22/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/12/2005
- Copy of the International Search Report filed on 05/12/2005
- Copy of IPE Report filed on 05/12/2005
- Information Disclosure Statements filed on 05/12/2005
- U.S. Basic National Fees filed on 05/12/2005
- Priority Documents filed on 05/12/2005

DOCKET DATE: 11-22-05 - *File Missing*
 ASSIGNED BY: *480* *PWS*
 DOCKETED BY: *121*
 DATE: 09-21-05 *NO*

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/534,792	PCT/IT03/00753	N2321-MJP

FORM PCT/DO/EO/905 (371 Formalities Notice)